

at such times to be fixed by order of the Board.

Sec. 11. All acts and parts of acts in conflict herewith shall be and the same are hereby repealed. It is provided further that in case any section or clause, sentence, paragraph or part of this Act shall for any reason be adjudged by any court of competent or final jurisdiction to be invalid, such judgment shall not affect, impair or invalidate the remainder of this Act, but shall be confined in its operation to the section, clause, sentence, paragraph or part thereof directly involved in the controversy in which said judgment shall have been rendered.

Sec. 12. The present depressed financial condition of the country making it practically impossible to now market improvement district bonds or securities of any character through the ordinary channels; the fact that the present laws are inadequate to authorize districts similarly affected to secure proper financing for much needed construction work that will afford employment to large numbers of unemployed who are facing grave danger of destitution and distress during the approaching winter; and the urgent necessity of immediate enactment of this Act for the purpose of affording relief, creates an emergency and an imperative public necessity that the constitutional rule requiring bills to be read on three several days in each House, be suspended, and said rule is hereby suspended, and this Act shall take effect and be in force from and after its passage, and it is so enacted.

SEVENTH DAY.

Senate Chamber,
Austin, Texas,
September 6, 1932.

The Senate met at 10 o'clock a. m., pursuant to adjournment, and was called to order by Lieutenant Governor Edgar E. Witt.

The roll was called, a quorum being present, the following Senators answering to their names:

Beck.	Gainer.
Berkeley.	Greer.
Cousins.	Hardin.
Cunningham.	Holbrook.
DeBerry.	Hopkins.

Hornsby.	Pollard.
Loy.	Purl.
Martin.	Rawlings.
Moore.	Russek.
Neal.	Small.
Oneal.	Stevenson.
Parr.	Thomason.
Parrish.	Williamson.
Patton.	Woodruff.
Poage.	Woodul.

Absent—Excused.

Woodward.

Prayer by the Chaplain.

Pending the reading of the Journal of yesterday, the same was dispensed with on motion of Senator Gainer.

Petitions and Memorials.

(See Appendix.)

Bills and Resolutions.

By Senator Small:

S. B. No. 19, A bill to be entitled "An Act repealing Section 16 of Chapter 73 of the Special Laws passed by the Thirty-sixth Legislature at its Third Called Session, the same being an Act creating the Spearman Independent School District in Hansford County, said Section 16 relating to the beginning of the fiscal year in connection with the levying, assessing and collection of taxes; and declaring an emergency."

Read and referred to Committee on State Affairs.

By Senator Holbrook:

S. B. No. 20, A bill to be entitled "An Act providing for relief of Needville Independent School District of Fort Bend County in order to aid the school district in rebuilding and repairing its school destroyed by the hurricane which covered the territory in which this district is located on August 13, 1932; making an appropriation to said district for said purposes, and declaring an emergency."

Read and referred to Committee on Finance.

Motion to Print Editorial.

Senator Parr sent up an editorial from the September 6 issue of the Dallas News entitled "Why Contest?"

The editorial was read.

Senator Purl moved to print the editorial in the Journal.

Senator Woodruff moved to table the motion. The motion to table was lost by the following vote:

Yeas—10.

Berkeley.	Loy.
DeBerry.	Poage.
Gainer.	Thomason.
Greer.	Williamson.
Holbrook.	Woodruff.

Nays—16.

Cousins.	Parrish.
Hardin.	Patton.
Hopkins.	Pollard.
Hornsby.	Purl.
Martin.	Rawlings.
Moore.	Russek.
Neal.	Stevenson.
Parr.	Woodul.

Present—Not Voting.
Oneal.

Absent.

Cunningham. Small.

Absent—Excused.

Beck. Woodward.

The motion to print in the Journal prevailed.

Senator Parrish moved to reconsider the vote by which the motion to print prevailed. The motion to reconsider prevailed.

Senator Purl withdrew the motion to print the editorial.

On motion of Senator DeBerry, further reading of telegrams, editorials, etc., was dispensed with and the calendar was called for.

Senate Simple Resolution No. 6.

Senator Neal sent up the following resolution:

Whereas, Mr. Jimmie Hull, formerly of Carthage, Texas, is now in the City of Austin, and

Whereas, Mr. Hull is desirous at this time of extending an invitation to the members of the Senate; now, therefore, be it

Resolved, That Mr. Hull be presented to the Senate and be given an opportunity to address the members and to extend to them this invitation.

NEAL.
COUSINS.

Read and adopted.

Mr. Hull Speaks.

The Chair appointed Senators Neal, Martin, and Cousins to escort Mr. Hull to the platform.

The Chair introduced Senator Neal, who introduced Mr. Hull.

Mr. Hull briefly addressed the Senate, extending the Senate an invitation to visit his show.

Senate Simple Resolution No. 4.

The question recurred upon the point of order on S. R. No. 4.

Recess.

On motion of Senator Hornsby, the Senate, at 12:05 o'clock p. m., recessed until 3 o'clock p. m.

After Recess.

The Senate met at 3 o'clock p. m., pursuant to recess, and was called to order by Lieutenant Governor Edgar E. Witt.

Message From the Governor.

Executive Office.

Austin, Texas, Sept. 6, 1932.

To the Members of the Forty-second Legislature:

By reason of the fact that a great hurricane swept Fort Bend County on August 13, 1932, and destroyed property values in excess of a million dollars and totally destroyed the negro school building in the Needville Independent School District at Needville, Texas, and on account of the inability of the people to repair and reconstruct said building, and on account of the district being unable to further bond itself, and on account of the approaching school term being in the immediate present, creates an emergency, and by reason of said calamity and by precedent heretofore established, it seems proper that the State should aid in the repair and reconstruction of said building.

The bill hereto attached on this subject is submitted for your consideration.

Respectfully submitted,

R. S. STERLING,
Governor.

Senate Simple Resolution No. 7.

Senator Poage sent up the following resolution:

Whereas, The honorable Tom Connally, United States Senator from

Texas, distinguished, admired, and held in great affection and esteem by all Texans, is within the bar of the Senate; be it

Resolved, That he be invited to the platform and requested to address the Senate at this time.

POAGE.
WOODRUFF.

Read and adopted.

Senator Connally Speaks.

The Chair appointed Senators Poage, Hardin, and Woodruff to escort Senator Connally to the platform.

The Chair introduced Senator Poage, who introduced Senator Connally. Senator Connally briefly addressed the Senate.

Senate Simple Resolution No. 8.

Senator Gainer sent up the following resolution:

Whereas, The number of Journals provided in the caucus resolution is insufficient to take care of the mailing lists of the members of the Senate; therefore, be it

Resolved by the Senate, That 2500 copies of the Senate Journal be printed.

GAINER.

Read and adopted.

Senate Simple Resolution No. 4.

The question recurred upon the point of order on S. R. No. 4.

The Senate voted not to sustain the point of order by the following vote:

Yeas—9.

DeBerry.	Neal.
Hardin.	Patton.
Hopkins.	Russek.
Hornsby.	Stevenson.
Martin.	

Nays—14.

Berkeley.	Purl.
Gainer.	Rawlings.
Greer.	Small.
Loy.	Thomason.
Moore.	Williamson.
Oneal.	Woodruff.
Poage.	Woodul.

(Pairs Recorded.)

Senator Cousins (present) who would vote nay, with Senator Parrish (absent) who would vote yea.

Senator Holbrook (present) who would vote nay, with Senator Cunningham (absent) who would vote yea.

Senator Parr (present) who would vote yea, with Senator Woodward (absent) who would vote nay.

Senator Pollard (present) who would vote yea, with Senator Beck (absent) who would vote nay.

Senator Holbrook moved the previous question, on the amendments and the resolution. The motion was lost by the following vote:

Yeas—2.

Beck.	Thomason.
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Nays—23.

Berkeley.	Oneal.
Cousins.	Patton.
DeBerry.	Poage.
Gainer.	Pollard.
Greer.	Purl.
Hardin.	Rawlings.
Hopkins.	Russek.
Hornsby.	Small.
Loy.	Stevenson.
Martin.	Williamson.
Moore.	Woodruff.
Neal.	

(Pairs Recorded.)

Senator Holbrook (present) who would vote yea, with Senator Cunningham (absent) who would vote nay.

Senator Parr (present) who would vote nay, with Senator Woodward (absent) who would vote yea.

Senator Woodul (present) who would vote yea, with Senator Parrish (absent) who would vote nay.

Senator Pollard moved to recommit the resolution, as amended, to the Committee on State Affairs.

Senator Holbrook moved to table the motion to recommit. The motion to table was lost by the following vote:

Yeas—10.

Beck.	Purl.
Berkeley.	Small.
Loy.	Thomason.
Moore.	Williamson.
Oneal.	Woodruff.

Nays—15.

Cousins.	Greer.
DeBerry.	Hardin.
Gainer.	Hopkins.

Hornsby.	Pollard.
Martin.	Rawlings.
Neal.	Russek.
Patton.	Stevenson.
Poage.	

(Pairs Recorded.)

Senator Holbrook (present) who would vote yea, with Senator Cunningham (absent) who would vote nay.

Senator Parr (present) who would vote nay, with Senator Woodward (absent) who would vote yea.

Senator Woodul (present) who would vote yea, with Senator Parrish (absent) who would vote nay.

The motion to recommit the resolution was adopted by the following vote:

Yea—15.

Cousins.	Neal.
DeBerry.	Patton.
Gainer.	Poage.
Greer.	Pollard.
Hardin.	Rawlings.
Hopkins.	Russek.
Hornsby.	Stevenson.
Martin.	

Nays—10.

Beck.	Purl.
Berkeley.	Small.
Loy.	Thomason.
Moore.	Williamson.
Oneal.	Woodruff.

(Pairs Recorded.)

Senator Holbrook (present) who would vote nay, with Senator Cunningham (absent) who would vote yea.

Senator Parr (present) who would vote yea, with Senator Woodward (absent) who would vote nay.

Senator Woodul (present) who would vote nay, with Senator Parrish (absent) who would vote yea.

Adjournment.

On motion of Senator Moore, the Senate, at 4:34 o'clock p. m., adjourned until 10 o'clock tomorrow morning.

APPENDIX.

Petitions and Memorials.

Whereas, It has come to the knowledge of the Galveston County Executive Committee through press

reports that Galveston County has been charged with permitting illegal ballots to be cast in the recent primaries, and that these ballots have been credited to the name of Mrs. Miriam A. Ferguson, and

Whereas, Certain members of the State Senate who took an active and vigorous part in the recent Democratic Primary Election in behalf of the candidacy of Governor R. S. Sterling, and disappointed at the outcome, are using their official positions to seek a Senate investigation of the recent primary election, and

Whereas, The proposed action is based largely upon rumors, insinuations and imaginations and disappointment, and

Whereas, Such an action by the Senate would constitute a reflection upon the majority of the Democratic Party, the officers of election and the various county executive committees, and would be an interference and usurpation of the rights, powers and privileges of our State Executive Committee;

Whereas, Article 3146 of the General Election Laws of Texas clothes the State Executive Committee and the courts with full power to investigate contests for party nominations:

Whereas, The contemplated action by the State Senate would destroy the principles of political party government through legislative interference; now, therefore, be it

Resolved by the Galveston County Executive Committee, That the contemplated action by the Senate is inimical to the welfare of the Democratic Party in Texas, is an unwarranted interference of party rights and an unjust reflection upon the judges of election and various county executive committees and as such we deplore and condemn such contemplated action; be it further

Resolved, That a copy of this resolution be sent to the presiding officer of the Senate of Texas with the request that same be read and made part of the minutes of the honorable body.

CHARLES J. SKARKE.

Adopted:

BEN INSELMAN,
Chairman Democratic Executive
Committee, Galveston County.